



Docket No.: 37998-237368  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Heinz Von Der Kammer

Art Unit: Not Yet Assigned

Application No: 10/596,627

Examiner: Not Yet Assigned

Confirmation No: 8551

Filed: June 19, 2006

Atty. Docket No: 37998-237368

For: DIAGNOSTIC AND THERAPEUTIC USE  
OF THE HUMAN HIF3ALPHA GENE  
AND PROTEINS FOR  
NEURODEGENERATIVE DISEASES

Customer No:

**26694**  
PATENT TRADEMARK OFFICE

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

In order to comply the duty of disclosure pursuant to 37 C.F.R. § 1.56, submitted herewith is a form listing the documents cited in the International Search Report of International Application No. PCT/EP2004/053573. The relevance of each document is indicated in the International Search Report.

Copies of the documents are not being provided since copies are furnished directly by WIPO under an exchange program between the PTO, the EPO and the JPO.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0261, under Order No. 37998-237368.

Dated: April 9, 2007

Respectfully submitted,

By Kavita B. Lepping  
Kavita B. Lepping  
Registration No.: 54,262  
VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)  
Attorney/Agent For Applicant

KBL/cc

#834166



PTO/SB/08A/B (09-06)

Approved for use through 03/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<b>Substitute for form 1449/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/596,627	
			Filing Date	June 19, 2006	
			First Named Inventor	Heinz Von Der Kammer	
			Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
Sheet	1	of	1	Attorney Docket Number	37998-237368

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Yuichi Makino et al; "INHIBITORY PAS DOMAIN PROTEIN (IPAS) IS A HYPOXIA-INDUCIBLE SPLICING VARIANT OF HYPOXIA-INDUCIBLE FACTOR-3 ALPHA LOCUS," Journal of Biological Chemistry, American Society of Biological Chemists, Vol. 277, No. 36, September 9, 2002, pages 32405-32408.	
	CB	Hara et al, "EXPRESSION AND CHARACTERIZATION OF HYPOXIA-INDUCIBLE FACTOR (HIF)-3 ALPHA IN HUMAN KIDNEY; SUPPRESSION OF HIF-MEDIATED GENE EXPRESSION BY HIF-3 ALPHA," Biochemical and Biophysical Research Communications, Vol. 287, October 5, 2001, pages 808-813.	
	CC	Bazan et al, "HYPOXIA SIGNALING TO GENES SIGNIFICANCE IN ALZHEIMER'S DISEASE," Molecular Neurobiology, Vol. 26, No. 2/3, October 10, 2002, pages 283-298.	
	CD	Gu et al, "MOLECULAR CHARACTERIZATION AND CHROMOSOMAL LOCALIZATION OF A THRID ALPHA-CLASS HYPOXIA INDUCIBLE FACTOR SUBUNIT, HIF3 ALPHA," Gene Expression, Vol. 7, 1998, pages 205-213.	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

#834178

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--